

104TH CONGRESS
2D SESSION

H. R. 3564

To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of emerging democracies in Central and Eastern Europe.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1996

Mr. GILMAN (for himself, Mr. BEREUTER, Mr. GEJDENSON, Mr. HYDE, Mr. LIPINSKI, Mr. SOLOMON, Mr. OBERSTAR, Mr. COX of California, Ms. KAPTUR, Mr. LEACH, Mrs. MALONEY, Mr. ZIMMER, Mr. SMITH of New Jersey, Mr. TORRICELLI, Mr. BROWNBACK, Ms. LOFGREN, Mr. HOKE, Mr. PALLONE, Mr. QUINN, Mr. HOLDEN, Mr. KIM, Mr. HOSTETTLER, Mr. GALLEGLY, and Mr. KING) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the NATO Participation Act of 1994 to expedite the transition to full membership in the North Atlantic Treaty Organization of emerging democracies in Central and Eastern Europe.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “NATO Enlargement
3 Facilitation Act of 1996”.

4 **SEC. 2. FINDINGS.**

5 The Congress makes the following findings:

6 (1) Since 1949, the North Atlantic Treaty Or-
7 ganization (NATO) has played an essential role in
8 guaranteeing the security, freedom, and prosperity
9 of the United States and its partners in the Alliance.

10 (2) The NATO Alliance is, and has been since
11 its inception, purely defensive in character, and it
12 poses no threat to any nation. The enlargement of
13 the NATO Alliance to include as full and equal
14 members emerging democracies in Central and East-
15 ern Europe does not threaten any nation. America’s
16 security, freedom, and prosperity remain linked to
17 the security of the countries of Europe.

18 (3) The sustained commitment of the member
19 countries of NATO to a mutual defense has made
20 possible the democratic transformation of Eastern
21 Europe. Members of the Alliance can and should
22 play a critical role in addressing the security chal-
23 lenges of the post-Cold War era and in creating the
24 stable environment needed for those emerging de-
25 mocracies in Central and Eastern Europe to success-
26 fully complete political and economic transformation.

1 (4) NATO has enlarged its membership on 3
2 different occasions since 1949.

3 (5) Congress has sought to facilitate the further
4 enlargement of NATO at an early date by enacting
5 the NATO Participation Act of 1994 (title II of
6 Public Law 103–447; 22 U.S.C. 1928 note) and the
7 NATO Participation Act Amendments of 1995 (sec-
8 tion 585 of Public Law 104–107).

9 (6) As new members of NATO assume the re-
10 sponsibilities of Alliance membership, the costs of
11 maintaining stability in Europe will be shared more
12 widely. Facilitation of the enlargement process will
13 require current members of NATO, and the United
14 States in particular, to demonstrate the political will
15 needed to build on successful ongoing programs such
16 as the Warsaw Initiative and the Partnership for
17 Peace by making available the resources necessary to
18 supplement efforts prospective new members are
19 themselves undertaking.

20 (7) New members will be full members of the
21 Alliance, enjoying all rights and assuming all the ob-
22 ligations under the Washington Treaty.

23 (8) Cooperative regional peacekeeping initiatives
24 involving emerging democracies in Central and East-
25 ern Europe that have expressed interest in joining

1 NATO, such as the Baltic Peacekeeping Battalion,
2 the Polish-Lithuanian Joint Peacekeeping Force,
3 and the Polish-Ukrainian Peacekeeping Force, can
4 make an important contribution to European peace
5 and security and international peacekeeping efforts,
6 assist those countries preparing to assume the re-
7 sponsibilities of possible NATO membership, and ac-
8 cordingly should receive appropriate support from
9 the United States.

10 (9) The United States continues to regard the
11 political independence and territorial integrity of all
12 emerging democracies in Central and Eastern Eu-
13 rope as vital to European peace and security.

14 (10) NATO remains the only multilateral secu-
15 rity organization capable of conducting effective
16 military operations and preserving security and sta-
17 bility of the Euro-Atlantic region.

18 (11) NATO is an important diplomatic forum
19 and has played a positive role in defusing tensions
20 between members of the Alliance and, as a result, no
21 military action has occurred between two Alliance
22 member states since the inception of NATO in 1949.

23 (12) The admission to NATO of emerging de-
24 mocracies in Central and Eastern Europe that meet
25 specific criteria for NATO membership would con-

1 tribute to international peace and enhance the secu-
2 rity of the region.

3 (13) A number of Eastern European countries
4 have expressed interest in NATO membership, and
5 have taken concrete steps to demonstrate this com-
6 mitment; including their participation in Partnership
7 for Peace activities.

8 (14) In recognition that not all countries which
9 have requested membership in NATO will nec-
10 essarily qualify at the same pace, the accession date
11 for each new member will vary.

12 (15) The eventual membership of Austria, Fin-
13 land, and Sweden is fully expected and is not pre-
14 cluded by this Act.

15 (16) The provision of additional NATO transi-
16 tion assistance should include those emerging de-
17 mocracies most ready for closer ties with NATO and
18 should be designed to assist other countries meeting
19 specified criteria of eligibility to move forward to-
20 ward eventual NATO membership.

21 (17) The Congress of the United States finds
22 that Poland, Hungary, and the Czech Republic have
23 made the most progress toward achieving the stated
24 criteria and should be eligible for the additional as-
25 sistance described in this bill.

1 (18) The evaluation of future membership in
2 NATO for emerging democracies in Central and
3 Eastern Europe should be based on the progress of
4 those nations in meeting criteria for NATO member-
5 ship, which require enhancement of NATO's security
6 and the approval of all NATO members.

7 **SEC. 3. UNITED STATES POLICY.**

8 It should be the policy of the United States—

9 (1) to join with the NATO allies of the United
10 States to redefine the role of the NATO Alliance in
11 the post-Cold War world;

12 (2) to actively assist the emerging democracies
13 in Central and Eastern Europe in their transition so
14 that such countries may eventually qualify for
15 NATO membership; and

16 (3) to work to define a constructive and cooper-
17 ative political and security relationship between an
18 enlarged NATO and the Russian Federation.

19 **SEC. 4. SENSE OF THE CONGRESS.**

20 It is the sense of the Congress that in order to pro-
21 mote economic stability and security in Estonia, Latvia,
22 Lithuania, Slovenia, Slovakia, Bulgaria, Romania, Alba-
23 nia, Moldova, and Ukraine—

24 (1) the United States should support the full
25 and active participation of these countries in activi-

1 ties appropriate for qualifying for NATO member-
2 ship;

3 (2) the United States Government should use
4 all diplomatic means available to press the European
5 Union to admit as soon as possible any country
6 which qualifies for membership; and

7 (3) the United States Government and the
8 North Atlantic Treaty Organization should support
9 military exercises and peacekeeping initiatives be-
10 tween and among these nations, nations of the
11 North Atlantic Treaty Organization, and Russia.

12 **SEC. 5. DESIGNATION OF COUNTRIES ELIGIBLE FOR NATO**
13 **ENLARGEMENT ASSISTANCE.**

14 (a) IN GENERAL.—The following countries are des-
15 ignated as eligible to receive assistance under the program
16 established under section 203(a) of the NATO Participa-
17 tion Act of 1994: Poland, Hungary, and the Czech Repub-
18 lic.

19 (b) DESIGNATION OF OTHER COUNTRIES.—The
20 President shall designate other emerging democracies in
21 Central and Eastern Europe as eligible to receive assist-
22 ance under the program established under section 203(a)
23 of such Act if such countries—

24 (1) have expressed a clear desire to join NATO;

1 (2) have begun an individualized dialogue with
2 NATO in preparation for accession;

3 (3) are strategically significant to an effective
4 NATO defense; and

5 (4) have met the other criteria outlined in sec-
6 tion 203(d) of the NATO Participation Act of 1994
7 (title II of Public Law 103–447; 22 U.S.C. 1928
8 note).

9 (c) **RULE OF CONSTRUCTION.**—Subsection (a) does
10 not preclude the designation by the President of Slovakia,
11 Estonia, Latvia, Lithuania, Romania, Slovenia, or any
12 other emerging democracy in Central and Eastern Europe
13 pursuant to section 203(d) of the NATO Participation Act
14 of 1994 as eligible to receive assistance under the program
15 established under section 203(a) of such Act.

16 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS FOR NATO**
17 **ENLARGEMENT ASSISTANCE.**

18 (a) **IN GENERAL.**—There are authorized to be appro-
19 priated \$60,000,000 for fiscal year 1997 for the program
20 established under section 203(a) of the NATO Participa-
21 tion Act of 1994.

22 (b) **AVAILABILITY.**—Of the funds authorized to be
23 appropriated by subsection (a)—

24 (1) \$20,000,000 shall be available for the sub-
25 sidy cost, as defined in section 502(5) of the Credit

1 Reform Act of 1990, of direct loans pursuant to the
2 authority of section 203(c)(4) of the NATO Partici-
3 pation Act of 1994 and section 23 of the Arms Ex-
4 port Control Act (relating to the “Foreign Military
5 Financing Program”);

6 (2) \$30,000,000 shall be available for assist-
7 ance on a grant basis pursuant to the authority of
8 section 203(c)(4) of the NATO Participation Act of
9 1994 and section 23 of the Arms Export Control
10 Act (relating to the “Foreign Military Financing
11 Program”); and

12 (3) \$10,000,000 shall be available for assist-
13 ance pursuant to the authority of section 203(c)(3)
14 of the NATO Participation Act of 1994 and chapter
15 5 of part II of the Foreign Assistance Act of 1961
16 (relating to international military education and
17 training).

18 (c) RULE OF CONSTRUCTION.—Amounts authorized
19 to be appropriated under this section are authorized to
20 be appropriated in addition to such amounts as otherwise
21 may be available for such purposes.

22 **SEC. 7. EXCESS DEFENSE ARTICLES.**

23 (a) PRIORITY DELIVERY.—Notwithstanding any
24 other provision of law, the provision and delivery of excess
25 defense articles under the authority of section 203(c) (1)

1 and (2) of the NATO Participation Act of 1994 and sec-
2 tion 516 of the Foreign Assistance Act of 1961 shall be
3 given priority to the maximum extent feasible over the pro-
4 vision and delivery of such excess defense articles to all
5 other countries except those countries referred to in sec-
6 tion 541 of the Foreign Operations, Export Financing,
7 and Related Programs Appropriations Act, 1995 (Public
8 Law 103–306; 108 Stat. 1640).

9 (b) COOPERATIVE REGIONAL PEACEKEEPING INITIA-
10 TIVES.—The Congress encourages the President to pro-
11 vide excess defense articles and other appropriate assist-
12 ance to cooperative regional peacekeeping initiatives in-
13 volving emerging democracies in Central and Eastern Eu-
14 rope that have expressed an interest in joining NATO in
15 order to enhance their ability to contribute to European
16 peace and security and international peacekeeping efforts.

17 **SEC. 8. MODERNIZATION OF DEFENSE CAPABILITY.**

18 The Congress endorses efforts by the United States
19 to modernize the defense capability of Poland, Hungary,
20 the Czech Republic, and any other countries designated
21 by the President pursuant to section 203(d) of the NATO
22 Participation Act of 1994, by exploring with such coun-
23 tries options for the sale or lease to such countries of
24 weapons systems compatible with those used by NATO

1 members, including air defense systems, advanced fighter
2 aircraft, and telecommunications infrastructure.

3 **SEC. 9. TERMINATION OF ELIGIBILITY.**

4 (a) IN GENERAL.—Section 203(f) of the NATO Par-
5 ticipation Act of 1994 (title II of Public Law 103–447;
6 22 U.S.C. 1928 note) is amended to read as follows:

7 “(f) TERMINATION OF ELIGIBILITY.—(1) The eligi-
8 bility of a country designated under subsection (d) for the
9 program established in subsection (a) shall terminate 60
10 days after the President makes a certification under para-
11 graph (2) unless, within the 60-day period, the Congress
12 enacts a joint resolution disapproving the termination of
13 eligibility.

14 “(2) Whenever the President determines that the gov-
15 ernment of a country designated under subsection (d)—

16 “(A) no longer meets the criteria set forth in
17 subsection (d)(2)(A);

18 “(B) is hostile to the NATO Alliance; or

19 “(C) poses a national security threat to the
20 United States,

21 then the President shall so certify to the appropriate con-
22 gressional committees.

23 “(3) Nothing in this Act affects the eligibility of
24 countries to participate under other provisions of law in
25 programs described in this Act.”.

1 (b) CONGRESSIONAL PRIORITY PROCEDURES.—Sec-
2 tion 203 of such Act is amended by adding at the end
3 the following new subsection:

4 “(g) CONGRESSIONAL PRIORITY PROCEDURES.—

5 “(1) APPLICABLE PROCEDURES.—A joint reso-
6 lution described in paragraph (2) which is intro-
7 duced in a House of Congress shall be considered in
8 accordance with the procedures set forth in para-
9 graphs (3) through (7) of section 8066(c) of the De-
10 partment of Defense Appropriations Act, 1985 (as
11 contained in Public Law 98–473; 98 Stat. 1936), ex-
12 cept that—

13 “(A) references to the ‘resolution described
14 in paragraph (1)’ shall be deemed to be ref-
15 erences to the joint resolution; and

16 “(B) references to the Committee on Ap-
17 propriations of the House of Representatives
18 and the Committee on Appropriations of the
19 Senate shall be deemed to be references to the
20 Committee on International Relations of the
21 House of Representatives and the Committee
22 on Foreign Relations of the Senate, respec-
23 tively.

24 “(2) TEXT OF JOINT RESOLUTION.—A joint
25 resolution under this paragraph is a joint resolution

1 the matter after the resolving clause of which is as
2 follows: ‘That the Congress disapproves the certifi-
3 cation submitted by the President on
4 pursuant to section 203(f) of the NATO Participa-
5 tion Act of 1994.’”.

6 **SEC. 10. AMENDMENTS TO THE NATO PARTICIPATION ACT.**

7 (a) CONFORMING AMENDMENT.—The NATO Par-
8 ticipation Act of 1994 (title II of Public Law 103–447;
9 22 U.S.C. 1928 note) is amended in sections 203(a),
10 203(d)(1), and 203(d)(2) by striking “countries emerging
11 from communist domination” each place it appears and
12 inserting “emerging democracies in Central and Eastern
13 Europe”.

14 (b) DEFINITIONS.—The NATO Participation Act of
15 1994 (title II of Public Law 103–447; 22 U.S.C. 1928
16 note) is amended by adding at the end the following new
17 section:

18 **“SEC. 206. DEFINITIONS.**

19 “The term ‘emerging democracies in Central and
20 Eastern Europe’ includes, but is not limited to, Albania,
21 Bulgaria, the Czech Republic, Estonia, Hungary, Latvia,
22 Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia,
23 and Ukraine.”.

24 **SEC. 11. DEFINITIONS.**

25 As used in this Act:

1 (1) EMERGING DEMOCRACIES IN CENTRAL AND
2 EASTERN EUROPE.—The term “emerging democ-
3 racies in Central and Eastern Europe” includes, but
4 is not limited to, Albania, Bulgaria, the Czech Re-
5 public, Estonia, Hungary, Latvia, Lithuania,
6 Moldova, Poland, Romania, Slovakia, Slovenia, and
7 Ukraine.

8 (2) NATO.—The term “NATO” means the
9 North Atlantic Treaty Organization.

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